

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

VINCENT NIGRO,

Plaintiff,

vs.

NEBRASKA HOME HEALTH - OPCO, LLC,
NEBRASKA HOME NURSING - OPCO,
LLC, HOME NURSING WITH HEART PC,
and JULIE LAUGHLIN,

Defendants.

8:20CV256

**SECOND AMENDED FINAL
PROGRESSION ORDER**

THIS MATTER is before the Court on the parties' Joint Motion to Amend Case Progression Order. ([Filing No. 39.](#)) The motion is granted. Accordingly,

IT IS ORDERED that the provisions of the Court's first final progression orders remain, and in addition to those provisions, progression shall be amended as follows:

- 1) The trial and pretrial conference will not be set at this time. The status conference presently scheduled for July 6, 2021 is canceled. A status conference to discuss **case progression, the parties' interest in settlement, and the trial and pretrial conference settings** will be held with the undersigned magistrate judge by telephone on **October 7, 2021 at 3:00 p.m.** Counsel shall use the conferencing instructions assigned to this case to participate in the conference. ([Filing No. 11.](#))
- 2) The deadlines for identifying expert witnesses expected to testify at the trial, (both retained experts, ([Fed. R. Civ. P. 26\(a\)\(2\)\(B\)](#)), and non-retained experts, ([Fed. R. Civ. P. 26\(a\)\(2\)\(C\)](#)), are:

The parties do not anticipate calling experts to testify at trial.

- 3) The deposition deadline, including but not limited to depositions for oral testimony only under Rule 45, is **October 15, 2021**.
 - a. The maximum number of depositions that may be taken by the plaintiffs as a group and the defendants as a group is 10.
 - b. Depositions will be limited by Rule 30(d)(1).
- 4) The deadline for filing motions to dismiss and motions for summary judgment is **November 12, 2021**.
- 5) The parties shall comply with all other stipulations and agreements recited in their Rule 26(f) planning report that are not inconsistent with this order.

- 6) All requests for changes of deadlines or settings established herein shall be directed to the undersigned magistrate judge. Such requests will not be considered absent a showing of due diligence in the timely progression of this case and the recent development of circumstances, unanticipated prior to the filing of the motion, which require that additional time be allowed.

Dated this 9th day of August, 2021.

BY THE COURT:

s/ Susan M. Bazis
United States Magistrate Judge